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Message Text

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63
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---------- 095529
P 232159Z NOV 76
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO PRIORITY

UNCLAS STATE 287329

E.O. 11652:N/A

TAGS: OEXC, JA

SUBJECT: REVISION OF 19;8 EXCHANGE OF NOTES/LETTERS

REF: STATE 275072, TOKYO 16084

SUMMARY: THIS MESSAGE INCLUDES ,ROPOSED TEXTS FOR (1) A NEW EXCHANGE OF NOTES FOR AMBASSADOR'S SIGNATURE, AND (2) LETTER TO NISHIMIYA FOR MILLER'S SIGNATURE. BACKGROUND EXPLANATION FOR THIS COMPROMISE A,PROAC; CONTAINED IN STATE REFTEL.

COMMENT: DEPARTMENT BELIEVES TWO-LETTER APPROACH IS WORKABLE COMPROMISE, KEEPING FORMAL EXCHANGE OF NOTES SHORT, DEALING ONLY WITH COMPOSITION OF PANELS, TERMS OF OFFICE AND POSSIBLE LOCATION OF JOINT COMMITTEE MEETINGS. INFORMAL LETTER TO NISHIMIYA IS PHRASED TO SHOW THAT THESE ARE PROCEDURES NOW BEING FOLLOWED: NO CHANGE FROM ACTUAL PRACTICE IS PROPOSED. MILLER LETTER IS "FOR THE RECORD" AND SHOULD REQUIRE ONLY BRIEFEST NISHIMIYA ACKNOWLEDGEMENT.

ACTION REQUESTED: REQUEST EMBASSY PROVIDE MOFA WITH NEU DRAFTS AND OBTAIN THEIR REACTION SOONEST. PLEASE EXPRESS UNCLASSIFIED

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DEPARTMENT'S DESIRE TO COOPERATE WITH MOFA IN ORDER ARRIVE

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EARLIEST SOLUTION REGARDING THIS MATTER.

1. PROPOSED TEXT OF :XCHANGE OF MOTES FROM AMBASSADOR TO VICE-MINISTER FOR FOREIGN AFFAIRS AS FOLLOUS:

EXCELLENCY:

I HAVE THE HONOR TO REFER TO TH- UNITED STATES - JAPAN CONFERENCE ON CULTURAL AND EDUCATIONAL INTERCHANG" (CULCON) AND TO THE EXCHANGE OF NOTES OF NOVEMBER 8, 1968, BETWEEN OUR TWO GOVERNMENTS RELATING TO THE ESTABLIS;MENT OF THE JOINT COMMITTEE TO CULCON: AND IN CONNECTION THEREWIT;, I HAVE THE HONOR ALSO TO REFER TO THE BACKGROUND OF CULCON AND THE RELATIONSHIP OF THE JOINT COMMITTEE TO CULCON.

ESTABLISHED IN 1961 BY PRESIDENT JOHN KENNEDY AND PRIME MINISTER HAYATO IKEDA, CULCON HAS BECOME T;E PRINCIPAL BINATIONAL INSTITUTION DEVOTED TO T'E IMPROVEMENT OF CULTURAL AND EDUCATIONAL RELATIONS BETWEEN JAPAN AND THE UNITED STATES. THE KEY TO CULCON'S EFFECTIVENESS HAS BEEN ITS ABILITY TO BRING TOGETHER A WIDE CROSS-SECTION OF PRIVATE LEADERS FROM BOTH COUNTRIES AND ELICIT THEIR COOPERATION IN VARIOUS ACTIVITIES DESIGNED TO IMPROVE AND STRENGTHEN CULTURAL RELATIONS BETWEEN JAPAN AND T; UNITED STATES. IN 1968, BOTH GOVERNMENTS AGREED TO AN EXCHANGE OF NOTES W;ICH ESTABLISHED THE JOINT COMMITTEE ON UNITED STATES - JAPAN CULTURAL AND EDUCATIONAL COOPERATION AND DESCRIBED ITS ORGANIZATION AND OPERATION. SINCE THAT TIME, A NUMBER OF SUBCOMMITTIES DEALING WITH SPECIFIC ISSUES HAVE ALSO BEEN ESTABLISHED. THE JOINT COMMITTEE HAS COME TO BE VIEWED BY BOTH SIDES AS THE "STEERING COMMITTEE" OF CULCON, WITH T'E TWO PANELS OF THE JOINT COMMITTEE BECOMING IN PRACTICE THE TWO DELEGATIONS TO THE CULCON.

THE DELEGATES AT CULCON VIII HELD IN WASHINGTON, D.C. ON MAY 27 AND 28 OF THIS YEAR RECOGNIZED THE NEED FOR SEVERAL STRUCTURAL AND OPERATIONAL CHANGES IN THE MANNER IN WHICH T;E JOINT COMMITTEE CONDUCTS ITS BUSINESS AND RECOMM"NDED THAT BOTH SIDES SHOULD TAKE THE STEPS TO INSTITUTE THESE CHANGES SO AS TO CONFORM TO CURRENT CONDITIONS AND UNCLASSIFIED

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PRACTICES.

THEREFORE, PURSUANT TO THE CULCON VIII RECOMMENDATION, I HAVE THE HONOR TO SET FORTH THE FOLLOWING MODIFICATIONS DESIRED IN THE EXCHANGE OF NOTES OF NOVEMBER 8, 1968:

1. WITH RESPECT TO PARAGRAPHS 2B AND 2C, THE PROVISIONS RELATING TO THE FIELDS FROM WHICH THE 12 MEMBERS OF TE

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PANELS SHALL BE DRAWN, AS WELL AS THE NUMBER PER FIELD, SHALL BE CONSIDERED GENERAL GUIDELINES, PROVIDED THAT

IN NO EVENT SHALL THERE BE MORE T;AN FOUR MEMBERS FROM THE GOVERNMENT OFFICES OF EITHER COUNTRY.

2. WITH RESPECT TO PARAGRAPH 2D, BECAUSE THE MEMBERS OF THE UNITED STATES PANEL OF THE JOINT COMMITTEE ON U.S.-JAPAN CULTURAL AND EDUCATIONAL INTERCHANGE HAVE BECOME, UNDER U.S. PUBLIC LAW 94-118 OF OCTOBER 20, 1975, MEMBERS OF THE JAPAN-U.S. FRIENDSHIP COMMISSION, THE PROVISIONS OF PARAGRAPH 2D ARE TO BE CONSIDERED WAIVED TO THE EXTENT NECESSARY TO SATISFY THE REQUIREMENTS OF THE U.S. GOVERN-MENT WITH RESP"CT TO TH" APPOINTMENT TO, REAPPOINTMENT TO, AND TERMINATION OF THE PU0LIC OFFICE.

3. WITH RESPECT TO PARAGRAPH 3A, TH JOINT COMMITTEE MEETINGS SHALL TAKE PLACE IN HAWAII OR IN ANY LOCATION WHICH IS AGREEA0LE TO BOTH COUNTRIES.

I HAVE THE HONOR FURTHER TO PRO,OSE THAT IF YOUR GOVERNMENT CONCURS IN THESE PROPOSALS, YOUR REPLY TO THAT EFFECT AND THE PRESENT NOTE SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR TUO GOVERNMENTS WHICH SHALL TAKE EFFECT ON THE DATE OF YOUR REPLY.

I AVAIL MYSELF OF THE OPPORTUNITY TO RENEW TO YOUR EXCEL-LENCY THE ASSURANCE OF MY HIGHEST CONSIDERATION.

SIGNED - THE AMBASSADOR.

2. PROPOSED LETTER FROM PAO TO CULTURAL AFFAIRS DIVISION OF MOFA AS FOLLOWS:
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DEAR MR. NISHIMIYA:

AT THE EIGHTH CONFERENCE ON CULTURAL AND EDUCATIONAL INTERCHANGE (CULCON VIII) HELD IN WASHINGTON ON MAY 27 AND 28 OF THIS YEAR, THE NEED FOR A NUMBER OF ESSENTIALLY TECHNICAL AND OPERATIONAL CHANGES IN THE MANNER IN WHICH CULCON AND THE JOINT COMMITTEE CONDUCT THEIR BUSINESS WAS DISCUSSED, AND THE DELEGATES RECOMMENDED THAT BOTH SIDES SHOULD TAKE STEPS TO INSTITUTE THESE C;ANGES SO AS TO CONFORM TO CURRENT CONDITIONS AND PRACTICES.

AS YOU ARE AWARE, CERTAIN TECHNICAL MODIFICATIONS RELATING TO THE COMPOSITION AMD TERMS OF OFFICE FOR T;E PANEL MEMBERS AS DESCRIBED IN THE 1968 EXCHANGE OF NOTES HAVE

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BEEN TAKEN CARE OF IN A SEPARATE EXCHANGE OF NOTES.

THE PURPOSE OF THIS LETTER IS TO DESCRIBE CERTAIN OTHER PRACTICES NOW FOLLOWED WHICH DIFFER SLIGHTLY FROM OR WERE NOT SPECIFIED IN THE 1968 EXCHANGE OF NOTES AND WERE NOT CONSIDERED NECESSARY FOR INCLUSION IN THE NEW EXCHANGE OF NOTES OF 1976.

THESE ITEMS ARE AS FOLLOWS:

1. THE CHAIRMEN OF THE TWO ,ANELS OF THE JOINT COMMITTEE ARE THE HEADS OF THE RESPECTIVE DELEGATIONS TO THE JOINT UNITED STATES - JAPAN CONFERENCE ON CULTURAL AND EDUCATION-AL INTERCHANGE.

2. THE CHAIRMEN OF THE TWO PANELS SERVE AS CO-CHAIRMEN FOR MEETINGS OF THE U.S.-JAPAN CONFERENCE ON CULTURAL AND EDU-CATIONAL INTERCHANGE AS WELL AS FOR MEETINGS OF THE JOINT COMMITTEE.

3. IN ADDITION TO THE MEMBERSHIP OF THE TWO PANELS, EACH GOVERNMENT SOMETIMES SENDS ONE OR TWO ADDITIONAL DELEGATES TO THE MEETINGS OF THE U.S.-JAPAN CONFERENCE ON CULTURAL AND EDUCATIONAL INTERCHANGE AND THE JOINT COMMITTEE.

4. COMMUNICATIONS BETWEEN THE TWO COUNTRIES CONCERNING
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JOINT COMMITTEE BUSINESS ARE CARRIED OUT BY THE CHAIRMEN OF THE TWO PANELS, 0Y T;E TWO GOVERNMENTS, AND BETWEEN OFFICES OR ORGANIZATIONS, SUCH AS THE JAPAN SOCIETY, W;ICH MAY BE DESIGNATED BY EACH SIDE TO PROVIDE SUPPORT FOR THESE MEETINGS AND ACTIVITIES.

IF YOU AGREE WITH THIS DESCRI,TION OF CERTAIN CURRENT PRACTICES, I WOULD APPRECIATE OBTAINING YOUR AGREEMENT, SO THAT THIS LETTER AND YOUR WRITTEN REPLY MAY SERVE AS GUIDE-LINES FOR FUTURE CULCON ACTIVITIES.

SINCERELY, WILLIAM MILLER.

ROBINSON

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